

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

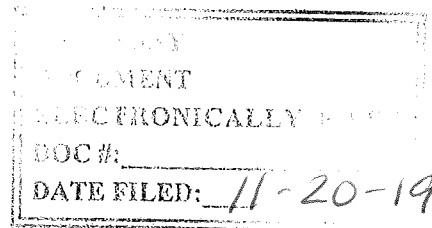
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PBR SALES, LLC,

Plaintiff,

v.

LIBERTY PETROLEUM TRADING
INTERNATIONAL, LLC,

Defendant.
-----X



ORDER

18 CV 11639 (VB)

On December 13, 2018, plaintiff PBR Sales, LLC commenced this breach of contract action against defendant Liberty Petroleum International LLC. (Doc. #1). On January 29, 2019, defendant answered the complaint and asserted counterclaims for breach of contract and negligent misrepresentation. (Doc. #12).

On September 24, 2019, the Court granted Gary Michael Fellner and Russel Louis Porter's application to withdraw as counsel of record, and ordered plaintiff to engage new legal representation by October 25, 2019. (Doc. #29).

The September 24 Order warned plaintiff, in bold and underlined font, that this case will be dismissed if plaintiff failed to engage new counsel by October 25. (Doc. #29).

Plaintiff did not engage new counsel by October 25. Thus, on November 1, 2019, the Court extended to November 8, 2019, plaintiff's time to engage new legal representation. (Doc. #30).

The November 1 Order warned plaintiff, in bold and underlined font, that this case will be dismissed if plaintiff failed to obtain new legal representation by November 8. (Doc. #30). The Order further noted: "This is plaintiff's last warning." (*Id.*).

To date, the docket indicates plaintiff has failed to engage counsel in contravention of Court orders.

Having ignored multiple Court orders, the Court concludes plaintiff has abandoned its case. Accordingly, plaintiff's claims against defendant are DISMISSED WITH PREJUDICE for failure to prosecute and failure to comply with Court orders. See Fed. R. Civ. P. 41(b).

By December 3, 2019, defendant shall notify the Court whether its counterclaims shall proceed, and, if so, whether defendant intends to seek a default judgment against plaintiff.

The Clerk is instructed to mail copy of this Order to plaintiff at the following address:

PBR Sales, LLC
2 Westchester Park Drive
White Plains, NY 10604

Dated: November 19, 2019
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge